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Ruth Montalvo

In the event that this paper is late filed and a necessary Petition for an Extension of Time is not concurrently filed herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this paper, to Deposit Account No. 50-1529.

Customer No: 026418

Docket No: GK-OEH-202/500814.20104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Griebel et al

Serial No. 10/535,601

Filed: May 19, 2005

19 MAY 2006

Legal Staff
International Division

For: METHOD FOR THE INTRODUCING OF AN INTEGRATED
PREDETERMINED RUPTURE LINE IN A PLANAR EXPANSIVE BODY

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

SECOND RENEWED REQUEST UNDER 37 CFR 1.42

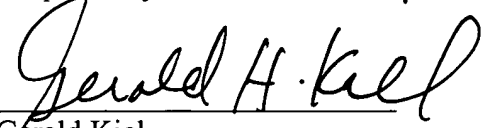
This renewed petition is in response to the USPTO Notice mailed on January 31, 2006. Applicants herein submit an executed declaration to overcome the cited objections indicated in the USPTO Notice.

In response to the Notice, Applicants submit a new declaration clearly indicating that Vera Steinhäuser is the legal representative of the deceased inventor Frank Steinhäuser. The attached declaration also recites the citizenship, residence, and mailing address of both the deceased inventor, Frank Steinhäuser and Frank Steinhäuser's legal representative, Vera Steinhäuser.

In view of the foregoing, and the attached declaration, Applicants respectfully request that the subject application be accorded status under 37 CFR § 1.47 and subsequently, the subject application be assigned to an Examiner and acted on by the Examiner.

Respectfully submitted,

By:


Gerald Kiel
Reg. No. 25,116

March 31, 2006
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UNITED STATES PATENT and TRADEMARK OFFICE

500814-20104

31 JAN 2006

COMMISSIONER FOR PATENTS
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In re Application of
GRIEBEL et al
PCT No.: PCT/DE2003/003637
Application No.: 10/535601
Int. Filing Date: 29 October 2003
Priority Date: 19 November 2002
Attorney's Docket No.: 026418
For: METHOD FOR THE INTRODUCTION OF AN
INTEGRATED ... EXPANSIVE BODY

DECISION ON

PAPERS FILED

UNDER 37 CFR 1.42

This is in response to the "RENEWED PETITION UNDER 37 CFR 1.42" filed 19 December 2005.

BACKGROUND

In a decision from this office dated 18 October 2005, the declaration filed on 19 May 2005 was not accepted under 37 CFR 1.42. The declaration was unacceptable because it was not clear that Vera STEINHAEUSER is the sole heir or just the legal representative for the deceased inventor, Frank STEINHAEUSER.

On 19 December 2005, applicants submitted the renewed submission under 37 C.F.R. §1.42.

DISCUSSION

Applicants have provided an executed declaration, which sets forth that Vera STEINHAEUSER as heir/legal representative of Frank STEINHAEUSER. Again, it is unclear if she is the sole heir because the declaration lists her as an heir, if she is the sole heir then it should be stated as such. Moreover, she signed the declaration as she was the fourth-joint inventor of the current patent application. That is, currently the current executed declaration describes her as the fourth-joint inventor but based on applicants' comments it appears that she is only the legal representative of Mr. Frank STEINHAEUSER. Thus, the declaration is improperly executed.

CONCLUSION


For the above reasons, the request for status under 37 CFR 1.42 is not accepted.

DOCKET

Feb 28, 2006 2nd Renewed Petition Due
March 31, 2006 2nd Renewal Petition Deadline

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to respond will result in the abandonment of the application. Any reconsideration request should include a cover letter entitled "Second Renewed Request Under 37 CFR 1.42." Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the office of PCT Legal Administration.


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